

REMARKS

Claims 2, 3, 6, 7, 9-11, 20 and 21 are pending in this application. By this Amendment, claim 6 is amended for clarity. The amendment introduces no new matter. Reconsideration of the application based on the above amendment and the following remarks is respectfully requested.

The Office Action rejects claims 6, 2, 3, 7, 9-11, 20 and 21 under 35 U.S.C. §112, second paragraph. The Office Action asserts that there is no antecedent basis for "the outside" in claim 6. The amendment to claim 6 obviates this rejection. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 6, 2, 3, 7, 9-11, 20 and 21 under 35 U.S.C. §103(a) over what Applicant interprets to be JP A 02-029216, JP B2 07-4320, JP A 07-231847, or JP A 10-24239 in view of U.S. Patent 5,498,431 to Lindner. These rejections are respectfully traversed.

The Office Action concedes that none of the Japanese references discloses the claim 6 kettle washing means having an ultrasonic generator. The Office Action relies on Lindner for this feature. The Office Action asserts that Lindner discloses that it is known in the art to provide an ultrasonic generator for treating foods such as cereals, etc. However, Lindner does not teach the relevant features of the pending claims. Lindner relates to techniques of cleaning fruits and vegetables using ultrasonic oscillation (see col. 3, lines 25-40 of Lindner). The objects of cleaning are "contaminates such as mud, biological contamination, microbiological flora, such as mold fungi, fungi, worms, bacteria, microbes and also chemicals such as pesticides, fertilizer residues and the like". These uses are directed to "cleaning".

The subject matter of the pending claims provides a rice kettle washing means for washing the inner wall of the rice kettle using an ultrasonic generator. As stated in claim 6,

the automatic rice cooking apparatus comprises a rice kettle washing means for washing an inner wall of the rice kettle having an ultrasonic generator propagating ultrasonic waves to water supplied into the rice kettle. Lindner does not teach or suggest such a feature.

As such, Lindner does not make up for the shortfall lacking in the Japanese references.

Further, Lindner is not an analogous prior art. Lindner is directed to a process and device for detoxicating and decontaminating produce, in particular cereals and other seeds used as foodstuffs and/or fodder (see Abstract). Such a process and device is not reasonably related to a rice cooker. In other words, one of ordinary skill in the art would not have looked to combine a food decontaminator in order to solve the problems addressed by the pending claims.

Finally, the conclusory statement regarding obviousness to combine the Japanese references and Lindner does not meet the articulated standard for providing there is a teaching, suggestion or motivation in the prior art to combine these references in the manner suggested by the Office Action. Specifically, the Office Action merely asserts that it would have been obvious to combine these references, if desired. No specific suggestion is articulated, and none is present in the references.

The Federal Circuit recently affirmed prior holding asserting that "rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obvious." *In re Kahn*, Appeal No. 04-1616, March 22, 2006 (Fed. Cir.) (quoting *In re Lee*, 277 F.3d 1338, 1343-46 (Fed. Cir. 2002) and *In re Rouffet*, 149 F.3d 1350, 1355-59 (Fed. Cir. 1998)). This standard is not met here.

MPEP §2143.01 instructs that "[T]he mere fact that references can be combined or modified does not render the resulting combination obvious unless the prior art also suggests the desirability of the combination." (MPEP §2143.01 further instructs that "[A]lthough a

prior art device may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." See, *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). Applicant respectfully submits that the rejection of the pending claims is improper in view of at least MPEP §2143.01 because the Office Action lacks the required specific objective evidence of a teaching, suggesting or motivation in the prior art for one of ordinary skill in the art to combine these references in the manner suggested.

For at least these reasons, the applied references do not teach or suggest the combinations of the features recited in independent claim 6. Additionally, claims 2, 3, 7, 9-11, 20 and 21 are also neither taught, nor suggested by the applied references for at least the respective dependence of these claims directly or indirectly on independent claim 6. Withdrawal of the rejections is requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 2, 3, 6, 7, 9-11, 20 and 21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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